

EXHIBIT 10

From: Lucas, Amy R. <alucas@omm.com>
Sent: Saturday, June 8, 2024 12:56 PM
To: Pensabene, Marc J.; Harbour, Michael
Cc: Ashley, Matt; Manzin-Monnin, Benjamin; Clarkston, Matt; Chestney, Isabella; Glasser, Lisa; #Netlist-Samsung-CDCal; #CDCal-Staff [Int]; #Samsung Netlist Trial Team; Feinstein, Marc; Cohen, Lori; Treggs, Brian; Hamilton, Emilie W.; Snyder, Darin; Sheasby, Jason
Subject: RE: Netlist v. Samsung - follow up to trial

Counsel,

It has come to our attention that, in addition to Ex. IX0013 that Netlist attempted to introduce into evidence at trial recently despite failing to produce it during discovery, Netlist withheld numerous additional highly relevant and responsive documents from discovery in the C.D. Cal. action. We intend to raise this egregious discovery misconduct with the Court at the evidentiary hearing.

Please confirm that Samsung may use in the C.D. Cal. litigation the following documents that Netlist recently produced in EDTX II from the Hynix litigation, so they can be presented to Judge Scarsi pursuant to the protective order in this case.

Also, please be advised that we expect Netlist and its prior and current counsel, as well as all vendors and agents, to preserve all information about Netlist's collection and production of documents in this case, as well as across the related litigations, including specifically all information regarding any search terms and other criteria used in any collection, review, and production of documents. Samsung will view any failure to do so as a serious spoliation issue to be raised with the Court.

Samsung reserves all rights and remedies. Your recent email about alleged deficiencies in Samsung's custodial document collection is a clear attempt to distract from the serious concerns raised about Netlist's discovery responses and we will respond to that separately.

Beg Bates	End Bates
NL-S-293_00008210	NL-S-293_00008211
NL-S-293_00001439	NL-S-293_00001439
NL-S-293_00008771	NL-S-293_00008779
NL-S-293_00001444	NL-S-293_00001448
NL-S-293_00001440	NL-S-293_00001443
NL-S-293_00001260	NL-S-293_00001339
NL-S-293_00001463	NL-S-293_00001464
NL-S-293_00001465	NL-S-293_00001467
NL-S-293_00001468	NL-S-293_00001471

Beg Bates	End Bates
NL-S-293_00008757	NL-S-293_00008757
NL-S-293_00001472	NL-S-293_00001472
NL-S-293_00008010	NL-S-293_00008024
NL-S-293_00008025	NL-S-293_00008047
NL-S-293_00008059	NL-S-293_00008063
NL-S-293_00008064	NL-S-293_00008067
NL-S-293_00008132	NL-S-293_00008132
NL-S-293_00008142	NL-S-293_00008146
NL-S-293_00008205	NL-S-293_00008209
NL-S-293_00008219	NL-S-293_00008220
NL-S-293_00008758	NL-S-293_00008761
NL-S-293_00002343	NL-S-293_00002346
NL-S-293_00008762	NL-S-293_00008768
NL-S-293_00008780	NL-S-293_00008787
NL-S-293_00002113	NL-S-293_00002208
NL-S-293_00002209	NL-S-293_00002304
NL-S-293_00002324	NL-S-293_00002328
NL-S-293_00002348	NL-S-293_00002350
NL-S-293_00002351	NL-S-293_00002353
NL-S-293_00002354	NL-S-293_00002356
NL-S-293_00002357	NL-S-293_00002360
NL-S-293_00002366	NL-S-293_00002366
NL-S-293_00002367	NL-S-293_00002368
NL-S-293_00002369	NL-S-293_00002370
NL-S-293_00002371	NL-S-293_00002372

Beg Bates	End Bates
NL-S-293_00002388	NL-S-293_00002389
NL-S-293_00008671	NL-S-293_00008675
NL-S-293_00009814	NL-S-293_00009918
NL-S-293_00004783	NL-S-293_00004932
NL-S-293_00005243	NL-S-293_00005333
NL-S-293_00005467	NL-S-293_00005565
NL-S-293_00005585	NL-S-293_00005585
NL-S-293_00005702	NL-S-293_00005760
NL-S-293_00005761	NL-S-293_00005788
NL-S-293_00006134	NL-S-293_00006158
NL-S-293_00010375	NL-S-293_00010461
NL-S-293_00011385	NL-S-293_00011389
NL-S-293_00009333	NL-S-293_00009334
NL-S-293_00009335	NL-S-293_00009336
NL-S-293_00009337	NL-S-293_00009342
NL-S-293_00009343	NL-S-293_00009348
NL-S-293_00009359	NL-S-293_00009366

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